

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

vs.

CASE NO. 00-6360CR-DIMITROULEAS

RAMON VILLARES,

Defendant

**DEFENDANT RAMON VILLARES' MOTION
FOR A DOWNWARD DEPARTURE AS MINIMAL PARTICIPANT
AND IN THE ALTERNATIVE AS A MINOR PARTICIPANT**

The Defendant, RAMON VILLARES, by and through his undersigned counsel, files the above-styled Motion with this Honorable Court and states as follows:

1. On April 12, 2001 the Defendant pled guilty to Count two of a four count indictment charging him with receiving and possessing stolen goods valued in excess of \$1,000.00 from interstate and foreign commerce. The Defendant's sole role in the instant offense was that of an off-loader of Canon cartridges. He was not involved with the planning, theft, or in the distribution of the stolen cargo. As a consequence, his role in the instant offense was a "minimal role" as characterized in § 3b1.2(a) of the Federal Sentencing Guidelines, Commentary, Application Notes 1 and 2. Also, see U.S. v. DeMasi, 40 F.3d 1306 (1st Cir.1994) and U.S. v. Wasserman, 973 F.2d 1422 (8th Cir1992).

WHEREFORE, the Defendant moves this Honorable Court to enter an order granting this Motion.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to Donald Chase Esq., United States Attorneys Office, 99 NE 4th Street, Miami, FL 33132 and USPO Bridget Dinvaut, 300 NE 1st. Avenue, Room 315, Miami, FL 33132 on this 19th day of June, 2001.

By: 

Rene Palomino Jr., Esq.
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